

TRANSMITTAL FORM

Docket No.: 2002M012
In re
Application of: Brown et al.
Serial No.: 10/674,639
Filed: September 30, 2003
For: LUBRICANT COMPOSITIONS



) Before the Examiner
)
) M. Thexton
)
) Group Art Unit No.
) 1714
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

[X] The undersigned hereby certifies having information and a reasonable basis for belief that this correspondence will be deposited as first-class mail with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on March 1, 2006.

Transmitted herewith is/are:

[X] Reply to Requirement for Restriction and Election of Species, Transmittal Form and Postcard.

[X] Fee for Restriction Requirement is \$ 0.00.

[] Petition for extension of time pursuant to 37 CFR 1.136 and 1.137 is hereby made to the extent required. The fee for this extension of time is calculated to be \$ _____ to extend the time for filing this response until _____.

[X] The total fee for this response and any extension of time is calculated to be \$ 0.00.

[] Charge \$ _____ to Deposit Account No. 05-1710.

[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 05-1710. A duplicate copy of this Form is enclosed.

March 1, 2006
Date of Signature



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(For Internal Use Only: Job No. IPL0856)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Brown et al.

SERIAL NO.: 10/674,639

FILED: September 30, 2003

TITLED: LUBRICANT COMPOSITION

Examiner: M. Thexton

Art Unit: 1714

Atty. Docket No. 2002M012

Assistant Commissioner for Patents
Washington, DC 20231

REPLY TO REQUIREMENT FOR RESTRICTION AND ELECTION OF SPECIES

Sir:

This paper is responsive to the Office Action mailed February 16, 2005, which presented requirements for restriction election of species.

Applicants have been requested, in accordance with 35 USC Section 121 to restrict the claimed invention to one of:

- I. Claims 1 through 15, 18 and 19, drawn to lubricant mixtures or additive mixtures, classified in class 508 (subclass dependent on specie elected);
- II. Claims 16 and 17, drawn to salts of dihydrocarbylthiophosphoric acid, classified in class 532 (subclass dependent on specie elected); and
- III. Claim 20, drawn to dihydrocarbylthiophosphoric acid, classified in class 532 (subclass dependent on specie elected).

Applicants hereby select for further prosecution in the present application, the claims of Group I, specifically, claims 1 through 15, 18 and 19.

Applicants have been further requested to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable. Applicants hereby elect the species wherein the (A) oil soluble or oil-dispersible salt of a

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Amdt. dated March 1, 2006
Reply to Office Action of February 1, 2006

dihydrocarbylthiophosphoric acid is a zinc salt of a dihydrocarbylthiophosphoric acid derived by reaction of a phosphous sulfide and a mixture of 4-methyl-2-pentanol and dipropylene glycol; and the oil-soluble or oil-dispersible molybdenum compound is a molybdenum dithiocarbamate compound. Claims 1 through 6, 8 through 15, 18 and 19 read on the elected species, which is exemplified as "Oil 8" of the present specification.

No traversal of either the requirement for restriction or election of species is presented. However, applicants expressly reserve their right to file a divisional application claiming the non-elected subject matter.

In view of the foregoing, Applicants respectfully request that substantive examination of the application proceed.

Respectfully submitted,



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